

**IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF TENNESEE**

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANT
FOR RUSSELL JANN**

Case No. 17-10079-508-egb

AFFIDAVIT OF STEPHEN K. LIES

I, Stephen K. Lies, Special Agent of the Federal Bureau of Investigation, Memphis Division, being duly sworn, state that the following information is true and correct to the best of my knowledge, information and belief:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed since August 1, 1999. Since joining the FBI, I have investigated violations of federal law involving violent crimes and cybercrimes that involved the sexual exploitation of children and computer intrusions. I am the coordinator of the Memphis Child Exploitation Task Force (MCETF) and have worked with the unit since its inception in March of 2000. I was also assigned to the Cyber Squad of the Memphis FBI, and the Civil Rights/Human Trafficking Task Force, several years with each. I have gained experience through training in seminars, classes, and everyday work related to conducting these types of investigations provided by the FBI, Department of Justice and other investigative agencies. Just prior to joining the FBI, I was employed for approximately three years as a Computer Technician and then subsequently for three years as a Computer Network Engineer. I was also employed (prior to my FBI employment) for approximately six years as a Social Worker/Therapist who counseled children and their families involved in matters of physical and sexual abuse.

2. As an FBI Agent, your Affiant is authorized to investigate crimes involving the sexual exploitation of children pursuant to Title 18, United States Code, Section 2251, et seq.

Section 2251(a) makes it a federal offense for any person to employ, use, persuade, induce, entice, or coerce any minor to engage in, or who has a minor assist any other person to engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, or to attempt to do so. Section 2252(a) makes it a federal offense to knowingly possess, access, receive, or distribute a visual depiction involving the use of a minor engaging in sexually explicit conduct (as defined in 18 U.S.C. § 2256(2)(A)), if such visual depiction is of such conduct, or to attempt to do so, if that visual depiction has been mailed, shipped, or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, or the visual depiction was produced using materials that have been so mailed, shipped or transported. Furthermore, Title 18, United States Code, Section 1470 makes it a federal offense for anyone to use the mail or any facility or means of interstate commerce, such as cellular phones or the internet, to knowingly transfer obscene material to another individual who has not attained the age of sixteen, knowing the individual is under sixteen, or to attempt to do so.

3. Your Affiant has conducted and/or participated in investigations relating to the sexual exploitation of children. During these investigations I have observed and reviewed examples of child pornography in various forms of media including computer media. Your Affiant has received training and instruction in the field of investigation of child pornography, child sexual exploitation, and human trafficking and in the area of forensic extraction of digital evidence.

4. This application is part of an investigation into RUSSELL RAY JANN (hereinafter Jann) for the alleged knowing receipt, possession, and access with intent to view visual depictions of minors engaged in sexually explicit conduct in violation of Title 18, United

States Code, Section 2252. "Sexually explicit conduct" means sexual intercourse of any type, whether between persons of the same or opposite sex; masturbation; bestiality; sadomasochistic behavior; or the lascivious exhibition of the genital or pubic area of any person. 18 U.S.C. § 2256(2)(A).

5. The following information was obtained through observations and conversations of your Affiant personally, through the assistance of other law enforcement agents and agencies, including their reports, and through other sources specifically named in this affidavit. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the warrant sought.

PROBABLE CAUSE

6. On or about January 18, 2017, the Belvidere, Illinois, Police Department (BPD) received information from Karen Isaac, a Belvidere resident, who had found sexually explicit pictures and text messages on Victim A's cell phone. Isaac, the legal guardian of Victim A, stated she found pictures of male genitalia and sexually explicit text messages from the telephone number 734-545-6062 on Victim A's cell phone. Victim A was fifteen years old at the time the text and images were found. Ms. Isaac provided the phone to BPD, one black LG Tracfone, and gave consent to have the BPD conduct a search of it. The following text messages were observed by BPD to have been received on Victim A's cell phone from the number 734-545-6062:

01/02/17 at 18:05, "is it wet baby"

01/04/17 at 12:23, "yeah, I heard you like old white guys! with big cocks"

01/04/17 at 12:24, "Guy named Russell."

01/04/17 at 12:25, "my friend. He said you use to date. And you wanted his dick."

01/04/17 at 12:27, "So. You want that dick or what"

BPD conducted a forensic extraction of the LG phone and found an image file depicting male genitalia and two video files depicting a male masturbating. BPD queried the Accurant online database for the telephone number 734-545-6062. The information provided indicated the number was a Verizon phone number associated with Russell Jann in Cottage Grove, Tennessee.

7. On January 19, 2017, in an interview with BPD, Victim A stated she met a boy named Ethan on the dating application "Skout" in August, 2016. Ethan told Victim A he lived in Tennessee and had just moved there from Ann Arbor, Michigan. The two engaged in sexually explicit text messages and sent sexually explicit videos and pictures to each other. Ethan subsequently began referring to himself as Russell. Victim A sent at least one explicit picture, depicting her exposed breast, to Ethan and may have sent more.

8. On February 1, 2017, Victim A was again interviewed by the BPD and provided further details of the content of her conversations and files sent to and from Ethan. Ethan admitted his real name was "Russell" and had a tattoo of his ex's name. "Russell" also admitted he was 43 years of age and his birthday was in October. Victim A had sent "Russell" images of herself in her homecoming dress and described it as such. She also sent pictures of herself in her underwear and bra, as well as two pictures taken in her bathroom: one of her naked, and one close-up of her vagina. "Russel" told Victim A he wanted to have sex with her and discussed meeting her as they were only seven hours apart. He said he lived in a wooded area of Tennessee. Victim A also communicated with "Russell" over Facebook and during the interview

logged onto her Facebook account and identified the profile she knew to be used by “Russell” as “Junior Bigg33” a/k/a, “Junior.Bigg.33.”

9. On February 1, 2017, Verizon provided information and records in response to a search warrant for the telephone number 734-545-6062. The information indicated the subscriber was Melissa M. Jann, 235 Maple Street, Cottage Grove, Tennessee. The records showed 124 calls and over 18,000 text messages were sent and received from 734-545-6062 to the number used by Victim A. The records also showed the number was utilizing a cloud storage service managed by Synchronoss Technologies. According to Verizon’s records, the phone model assigned phone number 734-545-6062 was an LG V10 smartphone. Open source queries indicated the “LGV10” is also known by the model “LG VS990.”

10. Synchronoss Technologies, Inc., provides technology and services to consumer and business customers, including internet and communications service providers such as AT&T Inc., Verizon Wireless, Comcast, and Time Warner Cable. Synchronoss services include service activation, identity management, remote or “cloud” storage, content transfer, messaging, and applied analytics. Synchronoss has offices in Bethlehem, Pennsylvania, and Bridgewater, New Jersey.

11. Cloud storage is a type of data storage that allows a user to store their data on a server hosted by another entity, the cloud storage provider. The user can store data with the host rather than on their own devices, but can access the data anytime using many different devices. Cloud storage can also serve as a back-up storage method, protecting a user from the loss of data that would occur if an individual device containing data failed. Your Affiant is aware through training and experience that many devices can be set to automatically back-up their contents to a cloud account. Others are set to synchronize on user command.

12. On February 3, 2017, Facebook provided information in response to a search warrant issued for the account "Junior.Bigg.33" aka "Junior Bigg". A review of the account by BPD showed Facebook messages were exchanged between Junior Bigg and Victim A. The review also revealed conversations with Junior Bigg and another Facebook user who appeared to be a female, identified as Victim B. The conversation indicated Junior Bigg and Victim B had met in person and had engaged in sexual activity and were trying to set up another meeting to have sex. The following are taken from the Facebook conversations between Junior Bigg and Victim B:

1/12/2017, Junior Bigg: "I think about our times together. How excited I was the first time we met. How I didn't ever want to stop kissing you when we were together. I still remember how you taste, so sweet. I still want you as bad as I did then."

1/12/2017, Junior Bigg: "I loved eating you"

1/12/2017, Victim B: "Stop in (sic) getting wet in class"

1/12/2017, Junior Bigg: "In the hotel we can take our time and I can treat you right."

1/13/2017, Victim B: "Your in school"

1/13/2017, Junior Bigg: "No, lol, I go to school with my client. He is in a special needs class."

1/13/2017, Victim B: "Oh what you do"

1/13/2017, Junior Bigg: "I am still a nurse"

1/15/2017, Junior Bigg: "I like your perfect body, your energy, your spirit, and your sexual appetite. That's why I like young girls."

1/15/2017, Victim B, "How old was your first young girl"

1/15/2017, Junior Bigg: "I think the first girl I talked to online was 14. The first girl I met and did anything with was this sexy 15yo black girl that is so fucking hot. I had so much fun with her the times we were together. I still want her to this day."

BPD was able to identify Victim B through the Facebook profile which contained information about a school she attended. BPD contacted local law enforcement of the town where the school was located. They provided to BPD a driver's license which matched the Facebook profile of Victim B. Victim B was 16 years of age at the time she was in contact with Junior Bigg. The Facebook account "Junior.Bigg.33" had the Google Gmail account "jrnig102@gmail.com" associated with it.

13. On February 13, 2017, Synchronoss Technologies provided information in response to a search warrant issued on the cloud account associated with telephone number 734-545-6062. The results listed two phone models associated with the account: an HTC6515LVW and a LGE VS990. The account contained a folder titled "My HTC6515LVW," which itself contained images of a white Kia bearing tag X49-35L. On August 15, 2017, a query of Tennessee Motor Vehicle registrations revealed the white Kia bearing tag X49-35L was registered to Melissa and Russell Jann, 235 Maple Street, Cottage Grove, TN 38224.

14. The account also contained archived Multimedia Messaging Service (MMS) exchanges sent and received between the account number 734-545-6062 and telephone number 864-221-7449. Some of the images depicted a female wearing shirts emblazoned with what appeared to be a school logo. BPD conducted open records checks on the telephone number and the school logo. Through this research, BPD developed a possible subscriber to the number, and also tentatively identified a female student who attended the school with the logo depicted on the

shirt in the sent images. The female student and the phone's subscriber shared the same last name. BPD contacted the school's resource officer (SRO) and sent pictures of "Victim C" for identification. The SRO confirmed the identity of Victim C, her enrollment at the school, and her age. Victim C was 16 years old when the images were sent. Further review of the Synchronoss file showed Victim C also sent to account number 734-545-6062 video and images files depicting a female engaged in the lascivious exhibition of the pubic area and masturbating. There were also images of the naked breast and pictures of the face of Victim C, sent in March and April, 2016. Of the files sent from account number 734-545-6062 to Victim C, there were several screen shots of a cell phone text conversation that were sexually explicit and contained the first name of Victim C as the contact. There were also images of an adult male's face, sent to 864-221-7449. These were compared with the Tennessee Driver's license photo of Jann and appeared to be the same person.

15. The Synchronoss information also indicated an MMS message was sent by the 734-545-6062 number of an erect penis to the phone number 256-412-6207 on February 2, 2017. BPD conducted an open source query of the receiving phone number and found it to be associated with a specific Facebook profile. The information observable on the public portion of the Facebook profile identified a town where the Facebook page owner lived. BPD confirmed, through a school resource officer at the town's high school, the identity of the person depicted in the Facebook profile, hereinafter "Victim D," and learned she was 16 years of age at the time the image was sent. The Verizon records further showed text messages were sent between 734-545-6062 and 256-412-6207 from at least November 2016 through January 2017.

16. On February 23, 2017, Google provided information in response to a search warrant for the Gmail account "jrnig102@gmail.com". The response indicated the Gmail account had been accessed from three Internet Protocol (IP) addresses on the following dates:

12/21/2016 184.41.220.149

12/22/2016 199.255.65.8

12/28/2016 184.41.223.137

17. On August 15, 2017, a query of the Geo IP online database at MaxMind indicated the IP addresses resolved to the following areas and service providers:

184.41.220.149 Henderson, TN AT&T Internet Services

199.255.65.8 Cottage Grove, TN AT&T Internet Services

184.41.223.137 Pinson, TN West Ky Networks

18. On August 15, 2017, a query of the National Crime Information Center (NCIC) provided a picture of Jann which appeared to match the pictures in the Synchronoss account. NCIC data indicated Jann lived at 235 Maple Street, Cottage Grove, Tennessee, 38224, with a date of birth of (REDACTED), 1973. A query of the Thomson Reuters online database indicated the following information: Russell Jann; residence 235 Maple Street, Cottage Grove, Tennessee 38223; Spouse Melissa. The date of birth and social security account numbers listed for Jann matched those in the NCIC report.

19. On September 5, 2017, your Affiant and other law enforcement agents executed a federal search warrant at Jann's residence. Jann spoke with agents, and admitted to having been in contact with Victim A, Victim B, Victim C, and Victim D. Jann stated he still communicates with Victim D. Jann acknowledged meeting one of the underage victims in person in Michigan

and engaging in oral sex with her. He asserted that the age of consent for minors in Michigan is sixteen.

20. Jann further advised agents that he collects child pornography, and showed agents where they would find an external hard drive containing images of minors engaging in sexually explicit conduct. The drive and a laptop computer were seized pursuant to the warrant. Jann told agents that he uses the internet to access such material. Jann also admitted that he uses anonymizing services (such as Tor—the onion router). Your Affiant is aware that services such as Tor are generally used to mask internet protocol (IP) addresses so that individuals seeking this material will be less likely to be detected by law enforcement.

21. Your Affiant is aware that an Internet Protocol address (or simply “IP address”) is a unique numeric address used by computers on the Internet. An IP address looks like a series of four numbers, each in the range 0-255, separated by periods (e.g., 21.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses. Internet service providers (ISPs) maintain records of which IP address was assigned to which customer at a particular date and time. This information can be used by investigators to identify the location from which certain internet activity was initiated.

22. Your Affiant asserts that the foregoing information establishes probable cause for the issuance of an arrest warrant for Russell Jann for violations of Title 18, United States Code, Sections 2252 and 1470, and respectfully asks this Court to issue said warrant for Russell Jann.

AND FURTHER, AFFIANT SAITH NOT.



STEPHEN K. LIES - AFFIANT
Special Agent, Federal Bureau of Investigation

Sworn to and subscribed before me on this 6th day of September, 2017.

s/Charmiane G. Claxton


CHARMIANE G. CLAXTON
UNITED STATES MAGISTRATE JUDGE